

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31967 of 2022

Arising Out of PS. Case No.-145 Year-2021 Thana- CHORAUT District- Sitamarhi

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1. GAYATRI DEVI W/o Parikshan Mahto Resident of Village and P.S.- Choraut, District- Sitamarhi
 2. DURGA DEVI W/o Saroj Mahto Resident of Village and P.S.- Choraut, District- Sitamarhi.

... .. Petitioner/s

Versus

1. The State of Bihar
2. SANJILA KUMARI W/o Manoj Kumar R/o Village and P.S.- Choraut, District- Sitamarhi.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Dinesh Jha, Advocate
For the Opposite Party/s	:	Mr. Syed Ehteshamuddin, A.P.P.
	:	Mr. Ranjeet Kumar Mishra, Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 22-12-2022 Heard learned counsel for the petitioners, learned counsel for the informant and learned A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 315, 494, 498(A), 34 and 406 of the Indian Penal Code.

The informant alleges that she married with Jitendra in the year 2013 and after marriage, the accused persons including the petitioners were torturing her for dowry and in the year 2017, the petitioner no. 1, forcefully got her aborted and she was treated by Dr. Sudha Jha, and she was not allowed to file the case and thereafter it is alleged that the accused persons



even assaulted her.

Learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and are mother-in-law and married sister-in-law of the informant and have been falsely implicated in the present case, it is next submitted that in 2018, in presence of the Gram Kachari Choraut Paschimi, District-Sitamarhi, a partisan was effected in between the husband of the informant and the petitioners including the husband of the petitioner no. 1, it is next submitted that since 2018, they are not staying together and are separate in mess and property as would be evident from Annexure-2 to the anticipatory bail application, it is further submitted that whenever a dispute arises between the husband and wife, entire family members with general and omnibus allegations are implicated, it is next submitted that husband of the informant is availing his remedies in law and has filed A.B.P. No. 3524 of 2022, pending before District Judge, Sitamarhi.

Learned A.P.P. for the State and learned counsel for the informant opposed the prayer for anticipatory bail of the petitioners but are not able to meet the submission of the learned counsel for the petitioners that there was a partisan in the family and the allegation against the petitioners are general and omnibus



in nature, further the name of the medicine is also not disclosed, nor there is any report of the doctor recording that the informant was aborted.

Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 5,000/- (Rupees Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Choraut P.S. Case No. 145 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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